



## **Request for City Council Committee Action from the Department of Community Planning and Economic Development – Planning Division**

Date: June 6, 2013

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning and Planning Committee

**Subject:** Determination of the need for an Environmental Assessment Worksheet (EAW) for the proposed 5<sup>th</sup> Street SE Mixed Use project located at 1300-1322 5<sup>th</sup> Street SE, 425 14<sup>th</sup> Avenue SE in response to a petition signed by more than 100 individuals and filed with the Minnesota Environmental Quality Board (EQB).

**Recommendation:** Based on the information in the file and within the attached Findings of Fact and Record of Decision document, The City of Minneapolis, concludes the following:

1. This "Findings" document and related documentation were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, Parts 4410.1000 to 4410.1700.
2. The project does not meet any of the mandatory EAW thresholds contained in Minn. Rules 4410.4300.
3. The petitioners failed to meet their burden of proof that the project may have the potential for significant environmental effects. Although there are many arguments presented, they are largely anecdotal and unsupported by compelling evidence.
4. The City of Minneapolis makes the finding that the petition for an EAW for the 5<sup>th</sup> Street SE Mixed Use project on the properties located at 1300-1322 5<sup>th</sup> Street SE and 425 14<sup>th</sup> Avenue SE is denied.
5. The City of Minneapolis City Council shall adopt the proposed Findings of Fact and Record of Decision document.

**Ward: 3**

Prepared by: Becca Farrar-Hughes, Senior City Planner, 612.673.3594

Approved by: Jason Wittenberg, Planning Manager

Presenters in Committee: Becca Farrar-Hughes, Senior City Planner

### **Community Impact:**

Neighborhood Notification: Not applicable. None needed for this EQB mandated decision.

- City Goals: Not applicable
- Comprehensive Plan: Not applicable

- Zoning Code: Not applicable
- End of 120-day decision period: Not applicable
- Other: Not applicable

**Background/Supporting Information:** Jane Prince, as a representative for the petitioners, filed a petition requesting the preparation of an Environmental Assessment Worksheet (EAW) for the project known as 5<sup>th</sup> Street SE Mixed Use (Project) proposed at 1300-1322 5<sup>th</sup> Street SE, 425 14<sup>th</sup> Avenue SE with the Minnesota Environmental Quality Board (EQB) on May 20, 2013. The EQB subsequently assigned the City of Minneapolis as the Responsible Governmental Unit (RGU) after determining that the petition was complete and valid. According to the petitioner, the petition is based on the effects of the conversion of the land use from the existing to the proposed use and the impacts on Dinkytown, and how both the project's proposed zoning change and conditional use permit for height would affect the existing built form, and existing businesses. Further, the petition states that the increase in the intensity of residential land use would degrade the qualities of the built environment, affect traffic patterns and parking sufficiency as well as safe multi-modal access to and through Dinkytown. The petitioner's complete statement and reasons for the petition are attached.